



Governor
Janet Napolitano

**ARIZONA BOARD OF OSTEOPATHIC EXAMINERS
IN MEDICINE AND SURGERY**

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Board Members:

David M. Steinway, D.O., Pres.
Stanley J. Grossman, V.P.
Arlene England, D.O.
Mary Ann Picardo, D.O.
Scott Steingard, D.O.
Jon B. Fiegen

Acting Director
Barbara Meyers

**DRAFT MINUTES OF THE PUBLIC BOARD MEETING
OF THE ARIZONA BOARD OF OSTEOPATHIC
EXAMINERS IN MEDICINE AND SURGERY**

Saturday, August 16, 2008

BOARD MEMBERS PRESENT:

President David Steinway, D.O., Mr. Stanley J. Grossman,
Mary Ann Picardo, D.O., Arlene England, D.O. Scott Steingard, D.O.,
and Mr. Jon B. Fiegen

STAFF / OTHERS PRESENT:

Barbara Meyers, Acting Director
Barbara Prah, D.O., Medical Consultant
Beverly Alfson, Business/Licensing Manager
John O'Hair-Schattenberg, Investigator
Blair C. Driggs, Assistant Attorney General
Kathy Fowkes, Administrative Secretary

1. CALL TO ORDER

The Board President, Dr. David Steinway, called the meeting to order at 8:04 a.m.

Dr. Douglas Cunningham was introduced as the newly appointed Board member. His duties will begin after his Oath of Office is received by staff.

2. ROLL CALL AND REVIEW OF AGENDA

The Acting Director took the roll. The Board Members listed above were present, establishing quorum for the meeting.

3. REVIEW, CONSIDERATION, AND ACTION ON APPLICATIONS FOR LICENSURE PURSUANT TO A.R.S. § 32-1822; PERMITS PURSUANT TO A.R.S. §32-1829; AND RENEWALS OF LICENSES PURSUANT TO A.R.S. §32-1825(C-D) AND A.A.C. R4-22-109.

The Board may hold an executive session to discuss records exempt by law from public inspection pursuant to A.R.S. §38-431.03(A)(2). In addition, the board may hold an executive session to discuss or consult with its attorney and receive legal advice pursuant to A.R.S. §38-431.03(A)(3).

A. Steven Locnikar, D.O. Application for Licensure

The Acting Director reviewed Dr. Locnikar's professional history. Dr. Locnikar answered all questions posed by the Board.

MOTION: Dr. England moved for granting a License with Probation with restriction of surgical practice. There was no second.

The Board further discussed the case.

SECOND MOTION: Mr. Grossman moved to deny licensure at this time. Dr. Picardo seconded.

After further discussion, the motion was withdrawn.

Dr. Locnikar withdrew his application for licensure.

THIRD MOTION: Dr. Steingard moved to accept his withdrawal. Dr. Picardo seconded.

VOTE: Motion passed unanimously.

5. REVIEW, DISCUSSION, AND POSSIBLE ACTION ON LONG RANGE DIRECTION OF THE BOARD REGARDING THE FOLLOWING TOPICS:

A. Is there a need to restructure the Board?

Due to the Arizona State Government's sweep of State agencies' funds, the Board discussed the possibility of having a subcommittee of honorary Board consultants to draw from when needed for outside reviews of more detailed, specialized cases. Dr. England volunteered to further study this issue.

The Board discussed the possibility of shortening the name of the Board. Mr. Driggs, A.A.G, informed the Board that a statute change would be required to accomplish this. No action was taken.

B. How have the Executive Director's duties changed in light of the 2008 Omnibus Bill?

The Board discussed the bill and the duties of the Executive Director, specifically regarding delegating the ability to dismiss cases under specific and strict circumstances, and being able to move a case directly to Investigative Hearing. Dr. Steingard was asked to obtain additional information from FSMB.

C. Are we using the most effective Substance Abuse Program?

Dr. Steinway presented this topic for Board discussion. Dr. Picardo, Dr. Steinway and Acting Director Barbara Meyers agreed to explore other alternatives for substance abuse programs.

D. Legal Changes in the Wind

Mr. Driggs, Assistant Attorney General discussed Letters of Concern and/or non-disciplinary Continuing Medical Education.

E. Do we need to reevaluate the complaint process?

Dr. Steingard presented information to the Board.

MOTION: Dr. Steinway made a motion to no longer specify on the website that there are open investigations. Mr. Grossman seconded.

VOTE: Motion tied 3-3, with Dr. Steingard, Dr. England, and Mr. Fiegen dissenting.

The Board made no changes regarding this issue.

The Board agreed that the consent agenda for dismissals which has been used at the last two public meetings has been a successful modification of the board meetings.

F. Is there a need to restructure the office dynamics?

This issue was discussed by the Board. No change was recommended at this time.

G. Defining the retired physician category.

Dr. Steinway presented information regarding Bill 2268, Sec. 32-1832, which the Board discussed. Amanda Weaver, President of the Arizona Osteopathic Medical Association (AOMA), was also present and

contributed information to the discussion. Mr. Driggs, A.A.G, will develop a substantive policy statement regarding the definition of retired physicians license category, which will then be reviewed by the Board. Ms. Weaver's input will also be requested.

H. FSMB Resolution 08

Dr. Steinway presented information regarding this resolution and the Board discussed how to assess competency in specialties.

6. **BOARD TRAINING**

A. Training to be presented by Assistant Attorney General Blair Driggs

Mr. Driggs presented key points regarding open meeting laws.

7. **NOTICE OF FINAL RULEMAKING FOR BOARD APPROVAL BEFORE GOING TO THE GOVERNOR'S REGULATORY REVIEW COUNCIL**

A. Title 4. Professions and Occupations. Chapter 23. Board of Pharmacy

MOTION: Dr. Steinway moved to approve the Pharmacy Board's rule changes. Dr. Steingard seconded.


VOTE: Motion passed unanimously.

8. **REVIEW, CONSIDERATION, AND POSSIBLE ACTION ON APPLICATION FOR THE POSITION OF EXECUTIVE DIRECTOR**

Board adjourned to Executive Session 1:02 p.m.
Board returned to Open Session at 1:20 p.m.

9. **ADJOURNMENT**

Dated this 6th day of October, 2008.


Barbara Meyers, Acting Director